

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
v.	:	
	:	
RICHARD MICHAELS	:	NO. 93-215-01

MEMORANDUM AND ORDER

Fullam, Sr. J. November , 2001

The defendant Richard Michaels, who has served his prison sentence for conspiracy to distribute methamphetamine in 1989-1991, and who has fully satisfied all his financial obligations to the Government and has satisfactorily completed approximately two and one-half years of his five-year term of supervised release, has requested early termination of the supervised release.

The case is unusual in several respects. The defendant was a driver for a beer distributing firm, had a solid family life and was well respected in his community. There was ample evidence that the beer distributorship was the geographic center of a conspiracy to distribute methamphetamine, but the evidence of Mr. Michaels' participation in the conspiracy was decidedly weak. He has always steadfastly maintained his innocence. Since his release from prison, he has performed valuable charitable-type services in the public interest, is gainfully employed, and warrants the belief that he will continue to be a law-abiding

citizen in all respects. Although the Government has opposed the present application, its arguments merely stress the evidence in support of the underlying conviction, most of which was allegedly supplied by a ringleader of the conspiracy, whom the Government, as a matter of trial strategy, chose not to call as a trial witness.

On balance, I am satisfied that no useful purpose would be served by continuing the supervised release term until its scheduled expiration on June 27, 2004. Although continuation on supervised release is not particularly onerous, it does impose significant burdens upon the defendant and is, in my view, completely unnecessary.

The petition for early termination of supervised release will be granted.

An Order follows.

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RICHARD MICHAELS	:	NO. 93-215-01

ORDER

AND NOW, this day of November 2001, upon
consideration of the application of the defendant for termination
of supervised release, and the Government's response, IT IS
ORDERED:

That the application is GRANTED. Defendant's
supervised release is TERMINATED as of this date.

John P. Fullam, Sr. J.